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Jeremy Waterman

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Bruno Guy et al.	Confirmation No.:	6264
Serial No.:	09/423,042	Art Unit:	1645
Filed:	January 19, 2000	Examiner:	V. Portner
Customer No.:	21559		
Title:	Anti-Helicobacter Vaccine Composition for Use by the Subdiaphragmatic Systemic Route, and Combined Mucosal/Parenteral Immunization Method		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT

In the Notice of Non-Compliant Amendment that was mailed in connection with the above-captioned case on September 8, 2006, the Office indicates that claim 41 was previously canceled. In response, Applicants note that the prior filed amendment in which this claim was requested to be canceled, which was filed in this case on March 5, 2003, was not entered (see Advisory Action mailed on March 25, 2003; Paper Number 15). The Request for Continued Examination (RCE) filed on September 5, 2003 was not filed with a request to enter the unentered amendment filed on March 5, 2003. Rather, the RCE was filed with amendments, although similar to those filed on March 5, 2003, which differed from those of March 5, 2003

(see, e.g., the unentered amendment canceling claim 41 that was filed on March 5, 2003, and the amendment filed with the RCE on September 5, 2003, in which this claim was not canceled). Applicants thus submit that the amendment filed on September 5, 2003 is in compliance with the rules and that the amendment be entered and considered with the Remarks accompanying the Amendment.

Applicants submit that the claims are in condition for allowance, and such action is respectfully requested. Although no charges are believed to be due, if there are any additional charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: October 9, 2006

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